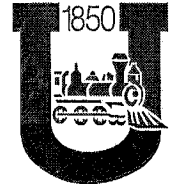


Mayor Lawrence Flitton
Council Members:
Michelle Roberts *Gordon Cutler*
Jerry Smith *Greg Johnson*

Planning Commission Members:
Chairman Tim Petty
Todd Burton *Scott Dixon*
Glenn Woolsev *Robert Guillier*

UINTAH CITY
UINTAH CITY COUNCIL &
UINTAH PLANNING COMMISSION
WORK SESSION MEETING
Tuesday, September 6, 2016
6:30 PM



2191 East 6550 South – Uintah, Utah 84405

(801) 479-4130 Fax: (801) 476-7269

Meeting Minutes

Meeting Called to Order by Mayor Lawrence Flitton at 6:30 p.m.

Pledge of Allegiance led by Darinda Wardell.

Attendees: Lawrence Flitton, Michelle Roberts, Jerry Smith, Greg Johnson, Gordon Cutler, Tim Petty, Robert Guillier, Todd Burton, Darinda Wardell, Crystal Western, Nate Hadley, Matt Hartvigsen, William Pope and Kim Rindlisbacher.

Agenda Items:

1. Discussion on Uintah Springs Pack Media System **(recording: 00:00:40)*

- Kim Rindlisbacher with Scenic Development was present. He stated the address for Scenic Development as 14572 S 790 W, Suite A100, Bluffdale, UT 84065.
- Kim explained that on the commercial property located at Uintah Springs Business Park they are trying to get the sewer situation solved. They have a gas station and a Burger King restaurant that would like to purchase lots on the property. The gas station has already submitted a site plan. Referring to drawings he brought in, Kim went on to state that there are 18 units on the property, totaling 108,000 sq. ft. footprint. These plans were made because they had to calculate how much sewage these businesses were going to produce. Lynn Rindlisbacher has worked with Matt Hartvigsen to find ways to run the sewer. He explained that the property's close proximity to the river makes it challenging to find a sewer system that meets the Board of Health's requirements; a standard system will not work. The Health Department referred them to a man who consults for the State and the County named Richard Jex in Logan, Utah. Mr. Jex has a good reputation with the County and the State. Kim told the council that Richard Jex was invited to tonight's meeting but he was unable to attend. Mr. Jex manufactures a product called a Pack Media System. Kim said that the system is fairly expensive, but the water that comes out of the system is cleaner than anything else that's out there; same concept as a regular sewer system but on a smaller scale.
- Kim said that the State is currently reviewing the plans, but in order to get them approved, the system has to have a body of politic which has enforcement rights over the system. Kim said that they have the option to form their own sewer district, but they didn't want to do that considering the City will most likely move from septic to sewer in the near future. This system has been designed around the City moving to sewer in the future. Kim said they are asking that the City take on the role and become the body of politic. He said they would be willing to sign an agreement that would indemnify the City from any costs, or expense, or anything that could go wrong with the system. He said all costs associated with the system will be passed on to the tenants.
- Kim went over some of the system's costs:
 - The property was required to have an 18,000 gallon septic tank, but they have designed it to have a 36,000 gallon septic tank. This larger design should allow for at least 3 days of capacity if the power were to go out. There will also be a back-up generator on the system. The larger size should also eliminate the need to pump the tank as often; it should allow 3-4 years in-between pumping. The entire initial install of the system will cost about \$250,000.

- The system will need to be maintained and mandatory quarterly reports must be sent to the State. It is projected to cost about \$3,200 a year for Mr. Jex to maintain the system and file the required reports.
- Kim stated that the gas station interested in the property has a deadline to close on their lot by the end of the year, and they cannot close unless the system is in place.
- Kim said that they have submitted paperwork in advance to the State so that they can get equipment ordered. Mr. Jex will come out and train them how to properly install the system and he will oversee the entire install process. Once the system is in place, Mr. Jex will come out every quarter and do testing required by the State. Mr. Jex will adjust the system as needed according to test results.
- The agreement he wants with the City is that they will manage it, and the City will serve as the body of politic and enforce it. He said they will collect the money from each of the tenants. Each tenant will pay about \$50 a month, with the exception of the Burger King restaurant and the gas station who will pay \$100 a month. He said this is about double what it would cost in other areas, but that it is necessary to have the higher rate because of the cost of this specialized system. These monthly fees should generate upwards of \$13,000 a year. The annual projected maintenance costs should be about \$5,000. The remaining \$8,000+ would remain in a slush fund for any part replacement and other additional costs associated with the system. They will house the computer for the system in a Tuff Shed to keep it out of the weather and protect it from vandalism.
- Kim showed the council the plans he brought in and pointed out the following locations on the plans:
 - Field Drain System - He stated that they have to keep the field drain system 50 feet away from any open stream and referred to the plans to show that they are in compliance with that requirement. He showed them where the field drain system will be located. It is 3 feet underground which allows for a drivable surface. He explained that they will not be allowed to cover it with solid surface; however they can put down gravel. It can also be used for outdoor yard space for the tenants.
 - Building Locations
 - Parking Locations
 - Septic Tank
 - Pack Media System – Located south of the septic tank. He said that the system can be expanded out at any time according to the needs of the tenants.
- Kim stated that they did explore the option of pumping out to the trailer court, however it would have required quite a long easement through railroad property and many citizen's property, and that isn't something that they felt was very practical. He said this was their only other option that the State would approve.
- Kim said that he'd love to just give the City a check for \$250,000 to go towards their sewer system but since we don't know when that's going to come that isn't really an option.
- He said that it is a very good system, and with proper maintenance the system should last 40-50 years. He said this should be more than enough time since the City will probably switch over to sewer before then,
- Mayor Flitton asked Kim to explain what the City's role would be as far as maintaining the system.
 - Kim responded that he's spoken to the County and they laid out a plan. Mr. Jex will maintain the system and run the tests and report to the State; he will also be available for emergency calls. If the tests come out high he will automatically make the adjustments. They would cover all costs for any replacement parts.
 - He said this should eliminate a situation where the State contacts the City and orders the City to fix problems, because problems will be fixed immediately before the State ever gets involved. Therefore, there would be no cost to the City.

- Mayor Flitton asked if anything went wrong if the City would be subject to State regulation.
 - Kim said that as the body of politic the City would be required to enforce the business park to fix the problem.
- Mayor Flitton asked if it was a variable speed motor on the generator. He said there was concern for the neighboring residents about the level of noise the generator will make.
 - Kim responded that as far as he knows you cannot even hear the equipment. He said that the pumps are in an underground canister. He said that he isn't sure about the noise level on the generator, but that they have been used all over on other projects and it hasn't seemed to be a problem. He said that Lynn and Mr. Jex would be able to answer that question more thoroughly than he can.
- Kim reiterated that there were really only two options to solve this problem; either they form their own sewer district or have an agreement where the City acts as body of politic/enforcer. He reminded them that there will be no costs associated to the City and that they would put that in writing.
- Michelle asked about liability.
 - Kim answered that the indemnification would be that as well. He said that they will remain owners of most of the lots, and the two being sold have already been informed via disclosure. The gas station is already familiar with this type of set-up because they've dealt with it on some of their other properties.
- Darinda asked if the gas station had a car wash and if water from that has been accounted for.
 - Kim responded that yes there will be a car wash, and the water has been accounted for. He said that the gas station will have a facility within their system that recycles most of the water from the car wash. He said they don't have final numbers on that but that based on what he's been told he feels that it will be ok.
- Gordon stated that he wanted it to be clear that there is no financial exposure to the City at all and that there wouldn't be any in the future, and they would not be obligating future City Council's to anything.
 - Kim confirmed that Gordon's statements were correct.
 - Kim again reiterated that the City's role would only to be enforcement to fix problems if necessary.
- Kim explained that they won't even move ahead with the project or get a building permit until this system has been approved and installed. They want to avoid a situation where the buildings are all built and the businesses cannot take occupancy because the septic system isn't in place. He again stated that the businesses will not even close on the lots until this system is installed.
- Greg said that the City's only option for enforcement would be to take legal action unless something else was put in place. He said if Uintah Springs didn't take care of a problem and it fell to the City to enforce, that would become a financial issue. Greg asked if there will be something, like a bond, that would allow the City to take care of things financially if all else fails.
 - Kim said that would be in the agreement, but the amount would have to be discussed further because he personally doesn't know what the amount should be. He said that Blake their in-house attorney stated that the amount will have to be something that is negotiated. He suggested that Mr. Jex come in and talk to them about what problems could arise with the system, and what the potential costs could be, before a dollar amount is decided on.
- Mayor Flitton asked if this project is under an independent LLC apart from their company, and if this agreement would follow the ownership of the property.
 - Kim responded yes, that it is. It is called Uintah Springs Business Park, LLC.
- Robert expressed concerns about the system being located so close to the river. He asked how many levels of safety protocols there are in the system, and what the monitoring system would be like. He wondered if there are any steps that would indicate

a problem much earlier on, prior to the alarm going off, or a phone call being made to Mr. Jex in an emergency.

- Kim answered yes, to his understanding. He said that before the system is finalized they will come out and turn it on. He explained that until there is actual water running through the system, which won't be for another year, they won't be able to fully know how it will handle everything. He said this question could better be answered by Mr. Jex.
- Lawrence said that he thinks the City's role would just be to decide whether or not the City wants to be the body of politic, assuming the County and State approve the plans.
- Tim expressed concerns about odor control. He said that he doesn't know much about this type of system, however he saw an aeration portion on the plans and there is definitely an air exchange. He said it may treat the water great, but that doesn't mean it won't smell bad. Tim asked about the system's features for odor control.
 - Kim referred to the drawings while explaining the process. He said that they claim that the filtering system is fairly deep and that no odor comes from it. He said he understands that most of the aeration takes place inside the septic system.
 - Tim suggested putting something in the indemnification regarding odor control to avoid any future problems with that issue.
- Tim asked how they would expand it in the future if needed.
 - Kim referred to his drawings and showed locations where the system could be expanded. Kim said that he felt that future expansion would be fairly easy. There was much discussion between Kim and Tim about possible future expansion. Kim then approached the Council and showed them on his drawings where expansion could take place.
- Kim added that their sewer line ties in to 2275 E., so when the sewer line does connect in the future they will just isolate the old system. He stated that this had a lot to do with where the system was positioned in the business park, to make it easier to convert to a regular outflow when it becomes available.
- Matt Hartvigsen said that while he is not familiar with these types of systems, one of the associates in his office has reviewed the plans. She used to work for Weber County and has designed and inspected systems like this. He said that these systems are not very common, probably because of the large expense, but there are others around. He said that some local ski resorts have similar systems that are in close proximity to buildings. He stated that he didn't know about the odor control.
- Matt said that these buildings will be using what the City anticipated to be a dry sewer. The City didn't think that the sewer mains would get used because they expected the treatment would be on each lot. Now there will actually be a functioning sewer main and man holes out in the roadways. He said that the City doesn't currently have a certified sewer operator and that this implies that we will have one, unless we pass that responsibility on to whoever the governing body ends up being. He suggested that whoever the governing body is gets a certified operator to manage that portion of the sewer system; this should be written in the indemnity agreement as well.
- Matt said that he doesn't know if it's necessary, but since there's a facility that's on a lot that's serving the other lots in the development; they probably need to make that portion of the lot an easement so that all of the other lots have access to it. He said they may be able to make it like a regular utility easement. He thinks it should be simple to do.
 - Kim said the businesses are going to form an association and asked if the easement could be owned by the association.
 - Matt responded that yes that would work. He said it would be like a common area in a housing development. It would allow all of the lots on that property to utilize that area for their own purposes.
 - The Council asked if they would be able to beautify the area at all.
 - Kim responded that the area is about a half-acre, and they are limited on how they are allowed to use the area. It is a non-buildable area and they

cannot put a hard surface on it or use irrigation water on it. He said they will most likely just make it a gravel area but it will be drivable.

- Jerry said that his only concerns were with the future hook-up to the sewer system and his questions were already answered earlier in this meeting.
- Todd asked about long term financial security for the system. He also questioned if there would be a bridge in place if Uintah Springs Business Park LLC ever dissolved, so that there were funds available until a future owner picked up operations again.
 - Kim stated that more homework needs to be done as far as the amount needed for the bond. He again went over the fees that will be collected from tenants and how they will be held in an account for system maintenance and repairs.
- Todd also asked if Weber Morgan Health Department has approved the plans yet.
 - Kim responded that they have been submitted to Weber Morgan Health Department. He said that they recommended asking the City to be the body of politic. They are also who recommended Mr. Jex.
- Kim explained that the State and County have not yet approved this. He said that they submitted them to the State a week ago, and it takes 2-3 weeks for them to be reviewed.
- Mayor Flitton said that they would like to wait until the State has approved the plans before they make a decision on this matter. Kim responded that he did not expect a decision tonight. He said he just wanted to propose the plan tonight and get the thought process going. He wanted to give them time to consider becoming that body of politic. He said that he wants approval from the State and County first. After that, he'd like there to be a future meeting where Mr. Jex can attend and further educate the City on how the system will work and answer any questions they might have.

2. Meeting adjourned *(recording: 00:32:25)

- Gordon Cutler made a motion to adjourn the Work Session for September 6, 2016.
- Seconded by Michelle Roberts.
- All in favor, motion passed.

APPROVED by the City Council this 20 day of Sept., 2016.


DARINDA K. WARDELL, City Recorder